

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

ELI MISTOVICH, JR.)	
Plaintiff)	
)	
v.)	C.A. No. 04-12340-EFH
)	
ELIZABETH BOWDEN, STEPHEN)	
URBAN, STEPHEN NEVERO and)	
ALISON LEATON)	
Defendants)	

AFFIDAVIT OF LAURIE F. RUBIN IN SUPPORT OF
DEFENDANTS' MOTION FOR SUMMARY JUDGMENT

1. My name is Laurie F. Rubin and I am counsel to defendants Elizabeth Bowden, Stephen Urban and Stephen Nevero in this case.
2. Attached hereto as Exhibit A is a true and accurate copy of excerpts of the deposition of Eli Mistovich, Jr., taken on September 22, 2005.
3. Attached hereto as Exhibit B is a true and accurate copy of excerpts of the deposition of Elizabeth Bowden, taken on September 27, 2005.
4. Attached hereto as Exhibit C is a true and accurate copy of excerpts of the deposition of Stephen Nevero, taken on September 15, 2005.
5. Attached hereto as Exhibit D is a true and accurate copy of excerpts of the deposition of Stephen Urban, Jr., taken on September 14, 2005.
6. Attached hereto as Exhibit E is a true and accurate copy of excerpts of the deposition of Alison Leaton, taken on September 29, 2005.
7. Attached hereto as Exhibit F is a true and accurate copy of Urban Deposition Exhibit 2, the resume of Marvin F. Morgan, Jr.

8. Attached hereto as Exhibit G is a true and accurate copy of Nevero Deposition Exhibit 5, an e-mail exchange on March 11, 2004 between Elizabeth Bowden and Alison Leaton.
9. Attached hereto as Exhibit H is a true and accurate copy of Nevero Deposition Exhibit 7, notes by S. Nevero of Interview of Eli Mistovich on 3/26/04.
10. Attached hereto as Exhibit I is a true and accurate copy of Mistovich Deposition Exhibit 11, Interview Questions to Ask Eli Mistovich regarding his hiring process for Trackmen – March 2004.
11. Attached hereto as Exhibit J is a true and accurate copy of Bowden Deposition Exhibit 30, Interview Questions to Ask Alison Leaton regarding hiring process completed by Eli Mistovich with Trackmen – March 2004.
12. Attached hereto as Exhibit K is a true and accurate copy of the Boston Globe article entitled, “The Hard Numbers: Segregation Remains Real, Widespread” (March 9, 2003).

SIGNED UNDER THE PAINS AND PENALTIES OF PERJURY THIS 31st DAY OF OCTOBER, 2005.

/s/ Laurie F. Rubin
Laurie F. Rubin